

2013 DRAFTING REQUEST

Bill

Received:	9/26/2013	Received By:	fknepp
Wanted:	As time permits	Same as LRB:	-3089
For:	Warren Petryk (608) 266-0660	By/Representing:	Libby Muller
May Contact:		Drafter:	fknepp
Subject:	Real Estate - miscellaneous	Addl. Drafters:	
		Extra Copies:	

Submit via email: **YES**
 Requester's email: **Rep.Petryk@legis.wisconsin.gov**
 Carbon copy (CC) to: **pam.kahler@legis.wisconsin.gov**
fern.knepp@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Add whether real property includes a dam to property disclosure reports

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	fknepp 9/26/2013	jdye 9/27/2013	jmurphy 9/27/2013	_____	srose 9/27/2013	sbasford 9/27/2013	

FE Sent For:

none

<END>

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/1	fknepp	1 9/27 jld		jm 9/27			

FE Sent For:

<END>

Knepp, Fern

From: Herkert, Toni
Sent: Thursday, September 26, 2013 2:11 PM
To: Knepp, Fern
Cc: Muller, Libby
Subject: Dam Disclosure LRB 3089/2

Hi Fern,

I just requested that LBR 3089/2 on dam disclosure be jacketed. I also just received a request for Rep. Petryk to introduce the Assembly companion bill. At the request of Rep. Petryk's office, could you please draft the Assembly companion for LRB 3089/2?

Thanks so much,
Toni

Toni R. Herkert
Policy Analyst
Office of State Senator Rob Cowles
2nd Senate District
(608) 266-0484 or Toll-Free: 800-334-1465
State Capitol
PO Box 7882
Madison, WI 53707

Knepp, Fern

From: Muller, Libby
Sent: Thursday, September 26, 2013 2:22 PM
To: Knepp, Fern
Subject: Dam Disclosure LRB 3089

Hi Fern,

Rep Petryk is going to be the Assembly lead on this bill if we could please get a companion bill that would be great.

Thanks!

Libby Muller

Representative Warren Petryk
103 West State Capitol
608-266-0660



No changes fl

State of Wisconsin
2013 - 2014 LEGISLATURE

In 9-26-13



LRB-3089/2
FFK:jld:jf

-3266/1

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Keep RMMK
create
for
company*

2013 BILL

X Regen

- 1 AN ACT *to amend* 709.03 (form) C. 8. and 709.033 (form) C. 9.; and *to create*
2 709.03 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes; **relating to:**
3 disclosing ownership of a dam to prospective buyers of certain real property and
4 updating disclosure reports for certain real property.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, owners selling residential real property or vacant land must give prospective buyers a form, known as a real estate condition report for residential real property and as the vacant land disclosure report for vacant land, on which the owner discloses certain conditions of, and other information about, the real property of which the owner is aware. This bill requires an owner to disclose on the applicable report whether the owner has notice or knowledge that a dam is located on the property or that ownership of a dam that is collectively owned by a homeowner association, lake district, or other group runs with the property even though the dam is not located on the property. This bill also updates the real estate condition report and the vacant land disclosure report to indicate that the regulation of underground storage tanks was transferred to the Department of Agriculture, Trade and Consumer Protection.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

BILL**SECTION 1**

SECTION 1. 709.03 (form) C. 8. of the statutes is amended to read:

709.03 (form)

C. 8. I am aware of underground or aboveground
fuel storage tanks on the property. (If "yes",
"yes," the owner, by law, may have to register
the tanks with the department Wisconsin
Department of safety Agriculture, Trade and
professional services Consumer Protection at
P.O. Box ~~7970~~ 8911, Madison, Wisconsin,
~~53707~~ 53708, whether the tanks are in use or
not. Regulations of the department Wiscon-
sin Department of safety Agriculture, Trade
and ~~professional services~~ Consumer Protec-
tion, may require the closure or removal of
unused tanks.

SECTION 2. 709.03 (form) C. 9m. of the statutes is created to read:

709.03 (form)

BILL

1 C. 9m. I am aware that a dam is totally or partially
2 located on the property or that an ownership
3 in a dam that is not located on the property
4 will be transferred with the property because
5 it is owned collectively by members of a home-
6 owners association, lake district, or similar
7 group. (If “yes,” contact the Wisconsin
8 Department of Natural Resources to find out
9 if dam transfer requirements apply.)

10 SECTION 3. 709.033 (form) C. 9. of the statutes is amended to read:

11 **709.033** (form)

12 C. 8. I am aware of underground storage tanks pres-
13 ently or previously on the property for storage
14 of flammable or combustible liquids, includ-
15 ing, but not limited to, gasoline or heating oil.
16 (If “yes”, “yes,” the owner, by law, may have to
17 register the tanks with the Wisconsin Depart-
18 ment of ~~Safety~~ Agriculture, Trade and Profes-
19 ~~sional Services~~ Consumer Protection at P.O.
20 Box ~~7970~~ 8911, Madison, Wisconsin, ~~53707~~
21 53708, whether the tanks are in use or not.
22 Regulations of the Wisconsin Department of
23 ~~Safety~~ Agriculture, Trade and Professional
24 ~~Services~~ Consumer Protection, may require
25 the closure or removal of unused tanks.

BILL**SECTION 4**

SECTION 4. 709.033 (form) C. 9m. of the statutes is created to read:

709.033 (form)

C. 9m. I am aware that a dam is totally or partially
located on the property or that an ownership
interest in a dam not located on the property
will be transferred with the property because
it is owned collectively by members of a home-
owners association, lake district, or similar
group. (If "yes," contact the Wisconsin
Department of Natural Resources to find out
if dam transfer requirements apply.)

SECTION 5. Nonstatutory provisions.

(1) REAL ESTATE CONDITION AND VACANT LAND DISCLOSURE REPORTS.

Notwithstanding section 709.035 of the statutes, the creation of sections 709.03 (form) C. 9m. and 709.033 (form) C. 9m. of the statutes does not require a property owner who has furnished to a prospective buyer of the property an original or amended report before the effective date of this subsection to submit an amended report with respect to the information required by section 709.03 (form) C. 9m. of the statutes, as created by this act, or by section 709.033 (form) C. 9m. of the statutes, as created by this act.

SECTION 6. Initial applicability.

(1) The treatment of sections 709.03 (form) C. 8. and 9m. and 709.033 (form) C. 9. and 9m. of the statutes first applies to reports that are furnished on the effective date of this subsection.

SECTION 7. Effective date.

1 (1) This act takes effect on July 1, 2014.

2 (END)

Basford, Sarah

From: Muller, Libby
Sent: Friday, September 27, 2013 11:14 AM
To: LRB.Legal
Subject: Draft Review: LRB -3266/1 Topic: Add whether real property includes a dam to property disclosure reports

Please Jacket LRB -3266/1 for the ASSEMBLY.